

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas E. Ward III, et al  
Application No. : To be assigned  
Filed : February 4, 2002  
Title : SYSTEM AND METHOD FOR MODIFYING  
ADVERTISEMENT RESPONSIVE TO EPG  
INFORMATION  
Grp./Div. : To be assigned  
Examiner : To be assigned  
Docket No. : 47840/RRT/I148



INFORMATION DISCLOSURE STATEMENT  
FOR A CONTINUING NON-CPA APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Post Office Box 7068  
Pasadena, CA 91109-7068  
February 4, 2002

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, enclosed are copies of Forms PTO-1449 and copies of Form PTO-892 from the parent application. The references listed thereon are not enclosed because they were of record in a parent application, Application No. 09/595,216, filed June 16, 2000.

It is respectfully requested that these references be considered in the examination of this application, and identified in the list of references cited on the patent issuing on this application.

Respectfully submitted,  
CHRISTIE, PARKER & HALE, hLLP

By

A handwritten signature in black ink, appearing to read "Raymond R. Tabandeh".

Raymond R. Tabandeh  
Reg. No. 43,945  
626/795-9900

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Enclosure(s)  
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Express Mail No. EL 904746472 US

FORM PTO-1449

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Attorney Docket Number

32714/JEC

Application Number

09/120,488

Filing Date

July 21, 1998

Applicant(s)

Ronald Alexander, et al.

Group Art Unit

2711

Examiner Name

N. Flynn

1050 U.S. PTO  
10/06/98  
02/04/02

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIALS | DOCUMENT<br>NUMBER | ISSUE<br>DATE | PATENTEE        | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|----------------------|--------------------|---------------|-----------------|-------|----------|-------------------------------|
|                      | 5,589,892          | 12/1996       | Knee et al.     | 348   | 731      |                               |
|                      | 5,592,551          | 1/1997        | Lett et al.     | 380   | 20       |                               |
|                      | 5,602,596          | 2/1997        | Claussen et al. | 348   | 564      |                               |
|                      | 5,619,249          | 4/1997        | Billock et al.  | 348   | 7        |                               |
|                      | 5,675,752          | 10/1997       | Scott et al.    | 395   | 333      |                               |
|                      |                    |               |                 |       |          |                               |
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## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIALS | DOCUMENT<br>NUMBER | PUBLICATION<br>DATE | COUNTRY OR<br>PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION |    |
|----------------------|--------------------|---------------------|-----------------------------|-------|----------|-------------|----|
|                      |                    |                     |                             |       |          | YES         | NO |
|                      | 0 550 911          | 12/1992             | EPO                         |       |          |             |    |
|                      |                    |                     |                             |       |          |             |    |
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## OTHER DOCUMENTS

| EXAMINER<br>INITIALS | Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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| EXAMINER<br>SIGNATURE  | DATE<br>CONSIDERED |
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| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                    |
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Sheet 1 of 1

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FORM PTO-1449

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

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N. Flynn

## U.S. PATENT DOCUMENTS

| EXAMINER/INITIALS | DOCUMENT NUMBER | ISSUE DATE | PATENTEE          | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|-------------------|-----------------|------------|-------------------|-------|----------|----------------------------|
| <i>W</i>          | 5212553         | 05/1993    | Maruoka           | 358   | 188      |                            |
|                   | 5353121         | 10/1994    | Young et al.      | 348   | 563      |                            |
|                   | 5398074         | 03/1995    | Duffield et al.   | 348   | 564      |                            |
|                   | 5432561         | 07/1995    | Strubbe           | 348   | 565      |                            |
|                   | 5434626         | 07/1995    | Hayashi et al.    | 348   | 569      |                            |
|                   | 5452012         | 09/1995    | Saitoh            | 348   | 563      |                            |
|                   | 5528304         | 06/1996    | Cherrick et al.   | 348   | 565      |                            |
|                   | 5559548         | 09/1996    | Davis et al.      | 348   | 6        |                            |
|                   | 5585866         | 12/1996    | Miller et al.     | 348   | 731      |                            |
|                   | 5606374         | 02/1997    | Bertram           | 348   | 565      |                            |
|                   | 5635978         | 06/1997    | Alten et al.      | 348   | 7        |                            |
|                   | 5694176         | 12/1997    | Bruette et al.    | 348   | 563      |                            |
|                   | 5699125         | 12/1997    | Rzeszewski et al. | 348   | 563      |                            |
|                   | 5737028         | 04/1998    | Bertram et al.    | 348   | 563      |                            |
|                   | 5760821         | 06/1998    | Ellis et al.      | 348   | 10       |                            |
|                   | 5781246         | 07/1998    | Alten et al.      | 348   | 569      |                            |
|                   | 5790202         | 08/1998    | Kummer et al.     | 348   | 553      |                            |
|                   | 5793433         | 08/1998    | Bedard            | 348   | 569      |                            |
|                   | 5801747         | 09/1998    | Bedard            | 348   | 1        |                            |
|                   | 5808694         | 09/1998    | Usui et al.       | 348   | 569      |                            |
|                   | 5828420         | 10/1998    | Marshall et al.   | 348   | 564      |                            |
|                   | 5844620         | 12/1998    | Coleman et al.    | 348   | 461      |                            |
|                   | 5867227         | 02/1999    | Yamaguchi         | 348   | 564      |                            |
|                   | 5903314         | 05/1999    | Nijima et al.     | 348   | 564      |                            |
| <i>W</i>          | 5917481         | 06/1999    | Rzeszewski et al. | 345   | 327      |                            |

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**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

(Use several sheets if necessary)

DOCKET NO./ATTY.  
32714/LTRAPPLICATION NO.  
09/120,488APPLICANT  
Ron Alexander, et al.FILING DATE  
July 21, 1998GROUP  
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**U.S. PATENT DOCUMENTS**

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|---------------------|--------------------|---------------|------------------|-------|----------|----------------------------------|
| <i>W</i>            | 5 0 3 6 3 1 4      | 07/1991       | Barillari et al. | 340   | 717      |                                  |
|                     | 5 1 0 5 1 8 4      | 04/1992       | Pirani et al.    | 340   | 721      |                                  |
|                     | 5 1 5 5 5 9 1      | 10/1992       | Wachob           | 358   | 86       |                                  |
|                     | 5 2 2 3 9 2 4      | 06/1993       | Strubbe          | 358   | 86       |                                  |
|                     | 5 2 3 3 4 2 3      | 08/1993       | Jernigan et al.  | 358   | 181      |                                  |
|                     | 5 3 1 9 4 4 5      | 06/1994       | Fitts            | 356   | 376      |                                  |
|                     | 5 3 2 5 1 8 3      | 06/1994       | Rhee             | 348   | 528      |                                  |
|                     | 5 3 7 7 3 1 7      | 12/1994       | Bates et al.     | 395   | 157      |                                  |
|                     | 5 4 1 0 3 4 4      | 04/1995       | Graves et al.    | 348   | 1        |                                  |

**FOREIGN PATENT DOCUMENTS**

|  | DOCUMENT<br>NUMBER | PUBLICATION<br>DATE | COUNTRY OR<br>PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION |    |
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**OTHER DOCUMENTS**

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| <i>W</i>            | 5 4 4 0 6 7 8      | 08/1995       | Eisen et al.        | 395   | 154      |                                  |
|                     | 5 4 7 9 4 9 7      | 12/1995       | Kovarik             | 379   | 265      |                                  |
|                     | 5 5 2 3 7 9 6      | 06/1996       | Marshall et al.     | 348   | 589      |                                  |
|                     | 5 5 2 4 1 9 5      | 06/1996       | Clanton, III et al. | 395   | 155      |                                  |
|                     | 5 5 2 6 0 3 4      | 06/1996       | Hoarty et al.       | 348   | 7        |                                  |
|                     | 5 5 3 4 9 1 1      | 07/1996       | Levitan             | 348   | 1        |                                  |
|                     | 5 5 4 1 6 6 2      | 07/1996       | Adams et al.        | 348   | 460      |                                  |
|                     | 5 5 5 7 3 3 8      | 09/1996       | Maze et al.         | 348   | 565      |                                  |
|                     | 5 5 5 9 5 4 8      | 09/1996       | Davis et al.        | 348   | 6        |                                  |

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|---------------------|--------------------|---------------|------------------|-------|----------|----------------------------------|
| M                   | 5 5 5 9 5 4 9      | 09/1996       | Hendricks et al. | 348   | 6        |                                  |
|                     | 5 5 5 9 5 5 0      | 09/1996       | Mankovitz        | 348   | 6        |                                  |
|                     | 5 5 8 3 5 6 0      | 12/1996       | Florin et al.    | 348   | 7        |                                  |
|                     | 5 5 8 5 8 3 8      | 12/1996       | Lawler et al.    | 348   | 13       |                                  |
|                     | 5 5 9 4 5 0 9      | 01/1997       | Florin et al.    | 348   | 731      |                                  |
|                     | 5 6 0 0 3 6 4      | 02/1997       | Hendricks et al. | 348   | 1        |                                  |
|                     | 5 6 2 1 4 5 6      | 04/1997       | Florin et al.    | 348   | 7        |                                  |
|                     | 5 6 2 9 7 3 3      | 05/1997       | Youman et al.    | 348   | 7        |                                  |

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| <i>M</i>            | ✓ 5 6 3 0 1 1 9    | 05/1997       | Aristides et al. | 395   | 601      |                                  |
|                     | ✓ 5 6 3 5 9 7 8    | 06/1997       | Alten et al.     | 348   | 7        |                                  |
|                     | ✓ 5 6 3 5 9 8 9    | 06/1997       | Rothmuller       | 348   | 563      |                                  |
|                     | ✓ 5 6 5 0 8 2 6    | 07/1997       | Eitz             | 348   | 468      |                                  |
|                     | ✓ 5 6 5 2 6 1 3    | 07/1997       | Lazarus et al.   | 348   | 7        |                                  |
|                     | ✓ 5 6 5 2 6 1 5    | 07/1997       | Bryant et al.    | 348   | 9        |                                  |
|                     | ✓ 5 6 6 1 5 1 6    | 08/1997       | Carles           | 348   | 8        |                                  |
|                     | ✓ 5 6 6 6 4 9 8    | 09/1997       | Amro             | 345   | 342      |                                  |
|                     | ✓ 5 6 8 9 6 6 6    | 11/1997       | Berquist et al.  | 395   | 345      |                                  |
|                     | ✓ 5 7 1 0 6 0 1    | 01/1998       | Marshall et al.  | 348   | 564      |                                  |

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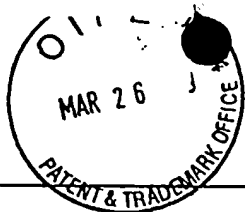
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|---------------------|--------------------|---------------|------------------|-------|----------|----------------------------------|
| M                   | 5 5 8 5 8 6 6      | 12/1996       | Miller et al.    | 348   | 731      |                                  |
| ✓                   | 5 6 5 0 8 3 1      | 07/1997       | Farwell          | 348   | 734      |                                  |
| ✓                   | 5 7 3 4 8 5 3      | 03/1998       | Hendricks et al. | 395   | 352      |                                  |
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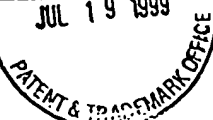
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|------------------------|-----------------------|
| Attorney Docket Number | 32714/LTR             |
| Application Number     | 09/120,488            |
| Filing Date            | July 21, 1998         |
| Applicant(s)           | Ron Alexander, et al. |
| Group Art Unit         | 2711                  |
| Examiner Name          | To be assigned        |

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| <i>M</i>             | 5,398,074          | 3/1995        | Duffield et al. | 348   | 564      |                               |
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**OTHER DOCUMENTS**

| EXAMINER<br>INITIALS | Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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**Notice of References Cited**Application No.  
09/120,488

Applicant(s)

Alexander et al.

Examiner

Nathan J. Flynn

Group Art Unit

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Page 1 of 1

**U.S. PATENT DOCUMENTS**

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| A | 5,850,218 ✓  | 12/98 | LaJoie et al.     | 345   | 327      |
| B | 5,940,073 ✓  | 8/99  | Klosterman et al. | 345   | 327      |
| C |              |       |                   |       |          |
| D |              |       |                   |       |          |
| E |              |       |                   |       |          |
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**NON-PATENT DOCUMENTS**

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| <b>Attorney Docket Number</b> | <b>39674/JEC/I148</b>              |
| <b>Application Number</b>     | <b>09/595,216</b>                  |
| <b>Filing Date</b>            | <b>June 16, 2000</b>               |
| <b>Applicant(s)</b>           | <b>Thomas E. Ward, III, et al.</b> |
| <b>Group Art Unit</b>         | <b>2743</b>                        |
| <b>Examiner Name</b>          | <b>To be assigned</b>              |

**U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIALS | DOCUMENT<br>NUMBER | ISSUE<br>DATE | PATENTEE | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|----------------------|--------------------|---------------|----------|-------|----------|-------------------------------|
|                      |                    |               |          |       |          |                               |
|                      |                    |               |          |       |          |                               |
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|                      |                    |               |          |       |          |                               |
|                      |                    |               |          |       |          |                               |
|                      |                    |               |          |       |          |                               |

**FOREIGN PATENT DOCUMENTS**

| EXAMINER<br>INITIALS | DOCUMENT<br>NUMBER | PUBLICATION<br>DATE | COUNTRY OR<br>PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION |    |
|----------------------|--------------------|---------------------|-----------------------------|-------|----------|-------------|----|
|                      |                    |                     |                             |       |          | YES         | NO |
|                      | WO 96/07270 A1     | 03/1996             | WIPO                        |       |          |             |    |
|                      | WO 96/41477        | 12/1996             | WIPO                        |       |          |             |    |
|                      | WO 97/49242        | 12/1997             | WIPO                        |       |          |             |    |
|                      | 0 762 751          | 03/1997             | EPO                         |       |          |             |    |

**OTHER DOCUMENTS**

| EXAMINER<br>INITIALS | Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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| EXAMINER<br>SIGNATURE |  | DATE<br>CONSIDERED |  |
|-----------------------|--|--------------------|--|

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |                               |                                   |
|---|-------------------------------|-----------------------------------|
| <b>FORM PTO-1449</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) | <b>Attorney Docket Number</b> | <b>39674 /JEC/I148</b>            |
|   | <b>Application Number</b>     | <b>09/595,216</b>                 |
|   | <b>Filing Date</b>            | <b>June 16, 2000</b>              |
|   | <b>Applicant(s)</b>           | <b>Thomas E. Ward III, et al.</b> |
|   | <b>Group Art Unit</b>         | <b>2743</b>                       |
|   | <b>Examiner Name</b>          | <b>To be assigned</b>             |

| U.S. PATENT DOCUMENTS |                 |            |                  |       |          |                            |
|-----------------------|-----------------|------------|------------------|-------|----------|----------------------------|
| EXAMINER INITIALS     | DOCUMENT NUMBER | ISSUE DATE | PATENTEE         | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|                       | 5,610,653       | 03/1997    | Abecassis        | 348   | 110      |                            |
|                       | 5,617,565       | 04/1997    | Augenbraun et al | 395   | 604      |                            |
|                       | 5,623,613       | 04/1997    | Rowe et al       | 395   | 353      |                            |
|                       | 5,629,733       | 05/1997    | Youman et al     | 348   | 7        |                            |
|                       | 5,635,978       | 06/1997    | Alten et al      | 348   | 7        |                            |
|                       | 6,177,931       | 01/2001    | Alexander et al. | 345   | 327      |                            |

| FOREIGN PATENT DOCUMENTS |                 |                  |                          |       |          |             |    |
|--------------------------|-----------------|------------------|--------------------------|-------|----------|-------------|----|
| EXAMINER INITIALS        | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION |    |
|                          |                 |                  |                          |       |          | YES         | NO |
|                          | 0 762 751       | 03/1997          | EPO                      |       |          |             |    |
|                          | 0 834 798       | 04/1998          | EPO                      |       |          |             |    |
|                          | 0 854 645       | 07/1998          | EPO                      |       |          |             |    |
|                          | WO 96/07270     | 03/1996          | WIPO                     |       |          |             |    |
|                          | WO 96/17473     | 06/1996          | WIPO                     |       |          |             |    |
|                          | WO 96/31980     | 10/1996          | WIPO                     |       |          |             |    |
|                          | WO 96/41477     | 12/1996          | WIPO                     |       |          |             |    |
|                          | WO 97/13368     | 04/1997          | WIPO                     |       |          |             |    |
|                          | WO 97/49242     | 12/1997          | WIPO                     |       |          |             |    |
|                          | WO 98/27723     | 06/1998          | WIPO                     |       |          |             |    |

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|---------------------------|--|------------------------|--|
| <b>EXAMINER SIGNATURE</b> |  | <b>DATE CONSIDERED</b> |  |
|---------------------------|--|------------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

|   |                               |                                   |
|---|-------------------------------|-----------------------------------|
| <b>FORM PTO-1449</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) | <b>Attorney Docket Number</b> | <b>39674 /JEC/I148</b>            |
|   | <b>Application Number</b>     | <b>09/595,216</b>                 |
|   | <b>Filing Date</b>            | <b>June 16, 2000</b>              |
|   | <b>Applicant(s)</b>           | <b>Thomas E. Ward III, et al.</b> |
|   | <b>Group Art Unit</b>         | <b>2743</b>                       |
|   | <b>Examiner Name</b>          | <b>To be assigned</b>             |

| FOREIGN PATENT DOCUMENTS |                    |                     |                             |       |          |             |    |
|--------------------------|--------------------|---------------------|-----------------------------|-------|----------|-------------|----|
| EXAMINER<br>INITIALS     | DOCUMENT<br>NUMBER | PUBLICATION<br>DATE | COUNTRY OR<br>PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION |    |
|                          |                    |                     |                             |       |          | YES         | NO |
|                          | WO 98/43183        | 10/1998             | WIPO                        |       |          |             |    |

| OTHER DOCUMENTS      |  |
|----------------------|--|
| EXAMINER<br>INITIALS | Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|                      | Supplementary European Search Report for Application No. EP 98 93 5889, completed on September 28, 2001  |

DAA PAS404792.1-\* -12/28/01 4:12 PM

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|---|--|----------------------------|--|
| <b>EXAMINER<br/>SIGNATURE</b>   |  | <b>DATE<br/>CONSIDERED</b> |  |
| <b>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</b> |  |                            |  |

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**FEE TRANSMITTAL  
UTILITY PATENT APPLICATION**

J1050 U.S. PTO  
**10/066811**  
02/04/02

**DATE: February 4, 2002**

Docket No. : 47840/RRT/I148  
Inventor(s) : Thomas E. Ward III; Kenneth Hancock; Douglas B. Macrae  
Title : SYSTEM AND METHOD FOR MODIFYING ADVERTISEMENT  
RESPONSIVE TO EPG INFORMATION Duplicate ☒

**FEE DETERMINATION**

| CLAIMS AS FILED                               |                 |                 |                      |                      |            |
|---|-----------------|-----------------|----------------------|----------------------|------------|
|   | NUMBER<br>FILED | NUMBER<br>EXTRA | SMALL<br>ENTITY RATE | LARGE<br>ENTITY RATE | FEE        |
| TOTAL CLAIMS                                  | 58 - 20         | 38              | x \$9.00             | 38 x \$18.00         | \$684.00   |
| INDEPENDENT CLAIMS                            | 5 - 3           | 2               | x \$42.00            | 2 x \$84.00          | \$168.00   |
| MULTIPLE-DEPENDENT CLAIMS FEE                 |                 |                 | \$140.00             | \$280.00             | \$0.00     |
| BASIC FEE                                     |                 |                 | \$370.00             | \$740.00             | \$740.00   |
| TOTAL FILING FEE                              |                 |                 |                      |                      | \$1,592.00 |
| List Independent Claims: 1, 20, 39, 57 and 58 |                 |                 |                      |                      |            |

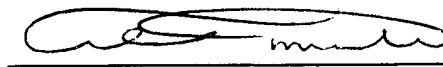
**METHOD OF PAYMENT**

- ☒ Payment Enclosed: Check for \$ 1,592.00
- ☒ The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the **entire pendency** of the application to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By



Raymond R. Tabandeh  
Reg. No. 43,945  
626/795-9900